

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA, ET AL.,

Plaintiffs,

v.

AMERICAN AIRLINES GROUP INC. and  
JETBLUE AIRWAYS CORPORATION,

Defendants.

Civil Action No. 1:21-cv-11558-LTS

**DEFENDANTS' UPDATE TO MOTION TO SEAL TRIAL EXHIBITS AND REQUEST  
FOR COURT TO ENTER SUPPLEMENTAL ORDER  
SEALING ADDITIONAL EXHIBITS WITH NO OBJECTION BY PLAINTIFFS**

Defendants provide the following update to their September 9, 2022 Motion to Seal Trial Exhibits (Dkt. No. 159, the "Motion to Seal"), the Parties' September 23, 2022 Joint Report Regarding Defendants' Motion to Seal Trial Exhibits (Dkt. No. 243, the "Joint Report"), and the Parties' Update to the Joint Report Regarding Defendants' Motion to Seal Trial Exhibits (Dkt. No. 245, the "Update to the Joint Report"). The Motion to Seal, the Joint Report, and the Update to the Joint Report included Appendix A, which identified trial exhibits for which Plaintiffs disputed Defendants' confidentiality designations, and Appendix B, which identified trial exhibits for which Plaintiffs did not object to Defendants' confidentiality designations.<sup>1</sup> The Court has entered orders

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<sup>1</sup> The Joint Report included Supplemental Appendix B identifying additional exhibits for which the Parties were able to resolve their differences between the filing of the Motion to Seal and the filing of the Joint Report. The Update to the Joint Report included a revised Supplemental Appendix B which replaced and superseded the version of Supplemental Appendix B attached to the Joint Report.

sealing the trial exhibits included on Appendix B to these prior filings (September 19, 2022 Transcript at 31:5-21; Dkt. No. 249).<sup>2</sup>

Since filing the Update to the Joint Report, the Parties continued to confer throughout trial and have resolved all of their remaining differences as to the confidentiality of the trial exhibits, either by Defendants withdrawing or narrowing their confidentiality designations, or by Plaintiffs withdrawing their objections to Defendants' confidentiality designations. The Parties have also successfully reached agreement as to additional exhibits for which Defendants added confidentiality designations during trial. Accordingly, Defendants submit the attached Second Supplemental Appendix B identifying additional trial exhibits for which Plaintiffs do not object to Defendants' redaction or sealing requests.

Defendants respectfully request that the Court enter a supplemental order granting the Motion to Seal as to the exhibits identified in Second Supplemental Appendix B.

Dated: October 27, 2022

Respectfully submitted,

/s/ Daniel M. Wall  
Daniel M. Wall (pro hac vice)  
Elizabeth C. Gettinger (pro hac vice)  
Elise M. Nelson (pro hac vice)  
Nitesh Daryanani (pro hac vice)  
LATHAM & WATKINS LLP  
505 Montgomery Street, Suite 2000  
San Francisco, CA 94111-6538  
Telephone: (415) 391-0600  
Facsimile: (415) 395-8095  
dan.wall@lw.com  
elizabeth.gettinger@lw.com  
elise.nelson@lw.com  
nitesh.daryanani@lw.com

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<sup>2</sup> At the beginning of the trial day on October 27, 2022, the Court also entered an order sealing the Parties' expert reports that were admitted into evidence on October 26, 2022.

Ian R. Conner (pro hac vice)  
Michael G. Egge (pro hac vice)  
Farrell J. Malone (pro hac vice)  
Allyson M. Maltas (pro hac vice)  
Marguerite M. Sullivan (pro hac vice)  
Tara L. Tavernia (pro hac vice)  
Seung Wan Paik (pro hac vice)  
Jesse A. Vella (pro hac vice)  
LATHAM & WATKINS LLP  
555 Eleventh Street, NW, Suite 1000  
Washington, DC 20004-1304  
Telephone: (202) 637-2200  
Facsimile: (202) 637-2201  
ian.conner@lw.com  
michael.egge@lw.com  
farrell.malone@lw.com  
allyson.maltas@lw.com  
marguerite.sullivan@lw.com  
andrew.paik@lw.com  
tara.tavernia@lw.com  
jesse.vella@lw.com

David C. Tolley (BBO #676222)  
LATHAM & WATKINS LLP  
200 Clarendon Street  
Boston, MA 02116  
Telephone: (617) 948-6000  
Facsimile: (617) 948-6001  
david.tolley@lw.com

*Attorneys for Defendant American Airlines  
Group Inc.*

/s/ Matthew A. McGee

Richard Schwed (pro hac vice)  
Matthew L. Craner (pro hac vice)  
Jessica K. Delbaum (pro hac vice)  
Leila Siddiky (pro hac vice)  
Shearman & Sterling LLP  
599 Lexington Avenue  
New York, NY 10022  
Telephone: (212) 848-5445  
rschwed@shearman.com  
matthew.craner@shearman.com  
jessica.delbaum@shearman.com  
leila.siddiky@shearman.com

Brian Hauser (pro hac vice)  
Ryan Leske (pro hac vice)  
Shearman & Sterling LLP  
401 9th Street, NW  
Washington, DC 20004  
Telephone: (202) 508-8005  
brian.hauser@shearman.com  
ryan.leske@shearman.com

Matthew A. McGee (*pro hac vice*)  
Shearman & Sterling LLP  
2828 North Harwood Street, Suite 1800  
Dallas, TX 75201  
Telephone: (214) 271-5766  
matt.mcgee@shearman.com

Glenn A. MacKinlay, BBO #561708  
McCarter & English, LLP  
265 Franklin Street  
Boston, MA 02110  
Telephone: (617) 449-6548  
gmackinlay@mccarter.com

*Attorneys for Defendant JetBlue Airways  
Corporation*

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing document, which was filed with the Court through the CM/ECF system, will be sent electronically to all registered participants as identified on the Notice of Electronic Filing.

/s/ Matthew A. McGee  
Matthew A. McGee